IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FOURTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION No. 14985 of 2004

Between:

S.Vidya Sagar Venkata Swamy
5th Lane Savithri Nagar, Opp.NIPPO Factory, Nellore-524 004.

..... PETITIONER

AND

1 M/s A.P. State Housing Corporation Ltd.,

rep. by its Managing Director, 3-6-184, Urdugally,
Himayathnagar, Hyderabad-29.
2 Housing Department, rep. by Spl. Chief Secretary to Government,

Housing Department, Govt., of A.P.
Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue writ of mandamus or any other appropriate writ declaring the action of respondents in not promoting the petitioner as Dy.General Managers/District Manager and also not finalizing the Disciplinary Proceedings pending against petitioner from October 2001 as illegal, arbitrary and unconstitutional and consequently direct the respondents or pass such further or other order or orders.

Counsel for the Petitioner: MR.A.RAJASEKHAR REDDY

Counsel for the Respondent No.1: MR.V.CH.NAIDU

Counsel for the Respondent No.2: G.P. for HOUSING

The Court made the following:

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ORDER:

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The petitioner represents that he is working as a Manager since 1982 in the respondent Corporation. He is due to get next promotion as Deputy General Manager/District Manager (Housing). The petitioner further mentioned that he is having LL.B. qualification and also completed M.A. in Public Personal Management in April, 2001. He made representations on 30.07.2003 and 02.07.2004 to the 1st respondent, requesting to promote him as a Deputy General Manager in the existing vacancies.

2. Subsequent to his representations, one candidate by name Sri B.Malla Reddy was promoted and he expired in December, 2003. After the death of the said Malla Reddy, the said post remained vacant. Subsequent to the second representation of the petitioner dated 02.07.2004, 8 (eight) people were promoted as Deputy General Managers. But the 1st respondent is not considering his representation regarding the promotion as a Deputy General Manager.

3. The petitioner, therefore, approached this Court, seeking a direction to the 1st respondent to consider his representation for promotion as a Deputy General Manager.

4. The petitioner received a minor penalty charge sheet and it is pending against him. The learned counsel for the petitioner represents that the pendency of the minor penalty charge sheet is no bar to consider him for promotion.

5. In the light of the circumstances explained by the petitioner, the 1st respondent is directed to pass appropriate orders on the representations of the petitioner dated 30.07.2003 and 02.07.2004, regarding his request for promotion

as a Deputy General Manager, according to Rules, within a period of two months from the date of receipt of a copy of this order.

6. The Writ Petition is, accordingly, disposed of. No order as to costs.

Note:

Issue CC in 7 days.

B/o.

dsr/svs

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1. The Managing Director,M/s.A.P.State Housing Corporation Ltd.,

3-6-184, Urdu Gally, Himayathnagar, Hyderabad – 29

2. The Spl. Chief Secretary to Government, Housing Department,

Housing Department,Government of A.P., Secretariat, Hyderabad

3. Two CCs to the Government Pleader for Housing,

High Court Buildings, Hyderabad (OUT)

4. Two CD copies.